

7 Ct  
Proper

ORIGINAL

(4)  
6/21/0  
vfy

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,

Plaintiff

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE,  
et al.

Defendants.

CIVIL NO.: 1:00-CV-00649

(MJ: J. Andrew Smyser) ✓

(J: Sylvia H. Rambo)

FILED  
HARRISBURG, PA  
JUN 20 2000  
MARY E. D'AMICO, CLERK  
Per [Signature] Deputy Clerk

MOTION TO DISMISS

Defendant, William W. Caldwell, by and through his undersigned counsel, hereby moves this Court to dismiss the plaintiff's complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure. A brief in support of this motion will be filed within the time period permitted by the local rules.

Respectfully submitted,

DAVID M. BARASCH  
United States Attorney

By: [Signature]

ANNE K. FIORENZA  
Assistant United States Attorney  
Middle District of Pennsylvania  
Federal Building  
P.O. Box 11754  
228 Walnut Street  
Harrisburg, PA 17108-1754

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,

Plaintiff

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE,  
*et al.*

Defendants.

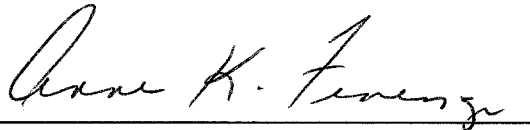
:  
:  
CIVIL NO.: 1:00-CV-00649  
:  
:  
:  
:(MJ: J. Andrew Smyser)  
:(J: Sylvia H. Rambo)  
:  
:  
:  
:  
:  
:

CERTIFICATE OF CONCURRENCE

I, Anne K. Fiorenza, hereby certify that I contacted counsel for other defendants in this matter as follows:

Peter McManamon, Esq., counsel for Robert B. Stewart, III, was unavailable;

Francis Filipi, counsel for the remaining defendants, with the exception of Charles Giornesto, concurs in this motion. I have not contacted Ms. Galloway or Mr. Giornesto who are unrepresented by counsel.



ANNE K. FIORENZA  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,	:	
	:	CIVIL NO.: 1:00-CV-00649
Plaintiff	:	
	:	
v.	:	(MJ: J. Andrew Smyser)
	:	(J: Sylvia H. Rambo)
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE,	:	
et al.	:	
	:	
Defendants.	:	

CERTIFICATE OF SERVICE


The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

On this 20th day of June, 2000, she served a copy of the foregoing document by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania to:

Peter McManamon  
200 Penn Street  
PO Box 383  
Huntingdon, PA 16652

Francis Filipi  
Office of Attorney General  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120

Gail Galloway  
RD 1 Box 30  
Petersburg, PA 16669

  
REBECCA A. PLESIC  
Legal Secretary